

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ABE WILLIAMS, JR.,

No. C 91-2589 JPV

Petitioner,

**ORDER DENYING
MOTION UNDER
FED.R.CIV. 60(b)**

vs.

M. MARTEL, Warden,

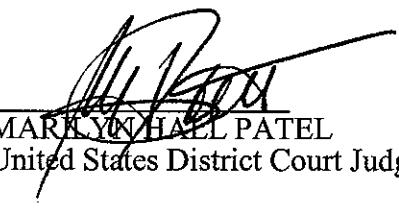
Respondent.

Petitioner has filed a motion pursuant to Rule 60(b) of the Federal Rules of Civil Procedure seeking to vacate a judgment in this action filed July 1, 1991. He seems to be confused about the disposition of this motion which he filed on April 24, 2008. In fact, that motion which also included a complaint concerning denial of parole, was ruled upon and denied by Judge Jeffrey S. White of this court on October 27, 2008. The denial of parole issue was transferred by this court on September 25, 2008, to the United States District Court for the Eastern District of California.

With respect to the denial of parole transferred to the Eastern District, petitioner will have to determine from that District the disposition of that matter. With respect to the Rule 60(b) motion, that motion was denied and a copy of Judge White's order is attached. If by this most recent filing petitioner is seeking review of that order, he cannot do so. The Rule 60(b) motion has been adjudicated and petitioner cannot get an end run around it or revisit it by filing a new motion or a new petition. To the extent this is a new motion or petition,

IT IS HEREBY ORDERED that the motion or petition is DENIED.

Date: September 9, 2009


MARK LYNN HALL PATEL
United States District Court Judge